

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Initially, Applicants would like to thank the Examiner for the Indication that claims 3-8 contain allowable subject matter.

In the Official Action, the Examiner rejects claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,990,475 to Alegi (hereinafter "Alegi"). Furthermore, the Examiner rejects claims 9-12 under 35 U.S.C. § 103(a) as being unpatentable over Alegi.

With regard to the rejection of claim 1 under 35 U.S.C. § 102(b), the same has been canceled thereby rendering the rejection thereof moot.

With regard to the rejection of claim 2 under 35 U.S.C. § 102(b), the same has been rewritten in independent form to include the features of base claim 1 and further amended to clarify its distinguishing features. Specifically, claim 2 has been further amended to clarify that the circuit wiring (on the second substrate) and the concave portion (on the third substrate) are arranged to face each other. The further amendment to claim 2 is fully supported in the original disclosure, particularly at page 12, lines 12-15 of the specification and Figures 2 and 6-8 of the Drawings. Thus, no new matter has been entered into the disclosure by way of the further amendment to claim 2.

Applicants respectfully submit that Alegi neither discloses nor suggests the circuit wiring on the second substrate and the concave portion possessing electrical conductivity on the third substrate to be facing each other as is now recited in independent claim 2.

Thus, a photoconductive switch module having the features discussed above and as recited in independent claim 2 is nowhere disclosed in Alegi. Since it has been decided that “anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,”¹ independent claim 2 is not anticipated by Alegi. Accordingly, independent claim 2 patentably distinguishes over Alegi and is allowable.

In view of the above, the Examiner is respectfully requested to withdraw the rejection of claims 1 and 2 under 35 U.S.C. § 102(b).

With regard to the rejection of claims 9 and 10 under 35 U.S.C. § 103(a), the same have been canceled thereby rendering the rejection thereof moot.

With regard to the rejection of claims 11 and 12 under 35 U.S.C. § 103(a), claim 11 has been rewritten in independent form to include the features of base claim 9 and intervening claim 10 and claim 11 has been further amended to clarify its distinguishing features. Specifically, claim 11 has been further amended to clarify that the electromagnetic shield means is disposed on the third substrate on the side facing the second substrate and that the electromagnetic shield means is arranged to face the circuit wiring (on the second substrate). The further amendment to claim 11 is fully supported in the original disclosure, particularly from page 13, line 18 to page 14, line 7 of the specification and Figures 2 and 6-8 of the Drawings. Thus, no new matter has been entered into the disclosure by way of the further amendment to claim 11.

¹ Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

Applicants respectfully submit that Alegi neither discloses nor suggests the electromagnetic shield means formed on a side of the third substrate to be facing the circuit wiring formed on the second substrate as is now recited in independent claim 11.

Thus, independent claim 11 is not rendered obvious by the cited reference because the Alegi patent, whether taken alone or in combination with the knowledge of those of ordinary skill in the art, does not teach or suggest a photoconductive switch module having the features discussed above and as recited in independent claim 11. Accordingly, claim 11 patentably distinguishes over the prior art and is allowable. Claim 12 being dependent upon claim 11 is thus at least allowable therewith.

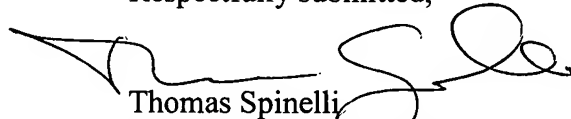
In view of the above, the Examiner is respectfully requested to withdraw the rejection of claims 9-12 under 35 U.S.C. § 103(a).

Furthermore, new claim 13 has been added to rewrite allowable claim 3 in independent form including all of the limitations of original base claim 1 and original intervening claim 2. New claims 14-18 have also been added to depend from claim 13. New claims 14-18 recite the features of allowable claims 4-8, respectively. Applicants respectfully submit that new claims 13-18 should now be allowed.

Lastly, the Examiner indicates in paragraph 6 of the Official Action in a statement of reasons for the indication of allowable subject matter of claims 3-8 that “the prior art fails to disclose or make obvious ... a biological material imaging system and the method thereof...” Since claims 3-8 are drawn to a photoconductive switch module, Applicants assume that such indication is in error and respectfully requests correction in any subsequent official communication.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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